

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

LENARD HARRIS,)	
)	
Petitioner,)	
)	
v.)	Case No. CV409-012
)	
AL ST. LAWRENCE, STAFF, et al.,)	
)	
Respondents.)	

REPORT AND RECOMMENDATION

Lenard Harris has filed yet another in a long series of petitions for writ of habeas corpus pursuant to 28 U.S.C. § 2254.¹ Doc. 1. As before, he presents no factual allegations for consideration by the Court. *See Harris v. Georgia*, No. CV408-002 (S.D. Ga. Jan. 23, 2008) (dismissed for failure to provide facts supporting his grounds for relief); *Harris v. St. Lawrence*, No. CV406-158 (S.D. Ga. Aug. 29, 2006) (same); *Harris v. St. Lawrence*, No. CV406-173 (S.D. Ga. Oct. 16, 2006) (same). Absent any statement of facts offered in support of his petition, the Court cannot comprehend any

¹ This is the ninth § 2254 petition filed by Harris since 2005. All of his prior petitions were dismissed by this Court. *See Harris v. Georgia*, No. CV408-052 (June 2, 2008); *Harris v. Georgia Child Support*, No. CV408-076 (May 6, 2008); *Harris v. Brannan*, No. CV408-053 (Apr. 7, 2008); *Harris v. Georgia*, No. CV408-002 (Jan. 23, 2008); *Harris v. Sheriff*, No. CV407-053 (Oct. 1, 2007); *Harris v. St. Lawrence*, No. CV406-173 (Oct. 16, 2006); *Harris v. St. Lawrence*, No. CV406-158 (Aug. 29, 2006); *Harris v. St. Lawrence*, No. CV405-152 (Oct. 4, 2005).

possible challenge to his conviction or evaluate whether the petition has any conceivable merit.² Thus, this petition should be **DISMISSED** without prejudice. See *Blackledge v. Allison*, 431 U.S. 63, 75 n. 7 (1977) (noting that notice pleading is not sufficient for habeas petitions); *Beard v. Clarke*, 18 F. App'x 530, 531-32 (9th Cir. 2001) (affirming dismissal of habeas petition presenting conclusory allegations unsupported by any facts); Rules Governing § 2254 Cases, Rule 2(c) (requiring petitioner to state "facts supporting each ground" and "relief requested"); *id.*, Rule 4 ("If it plainly appears from the petition . . . that the petitioner is not entitled to relief . . . the judge must dismiss the petition . . .").³

SO REPORTED AND RECOMMENDED this 29th day of January, 2009.



UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA

² Petitioner has blatantly ignored the clear instructions on his § 2254 form petition, which emphasizes: "Summarize briefly the *facts* supporting each ground." Doc. 1 at 5 (emphasis in original).

³ It also appears that Harris has failed to exhaust his state remedies before filing this § 2254 petition, as he does not indicate that he appealed or filed a petition for habeas corpus in the state court. Doc. 1 at 2.